



CITY OF MCKINNEY, TEXAS

Legislation Text

File #: 22-0033SP, **Version:** 1

Conduct a Public Hearing to Consider/Discuss/Act on a Variance to a Site Plan, Located at the Northeast Corner of South McDonald Street and East Christian Street

COUNCIL GOAL: Direction for Strategic and Economic Growth
(1C: Provide a strong city economy by facilitating a balance between industrial, commercial, residential and open space)

MEETING DATE: February 28, 2023

DEPARTMENT: Development Services - Planning Department

CONTACT: Lexie Schrader, Planner I
Caitlyn Strickland, Planning Manager
Jennifer Arnold, AICP, Director of Planning

APPROVAL PROCESS: The action of the Planning and Zoning Commission for the proposed site plan may be appealed to the City Council.

STAFF RECOMMENDATION: Staff recommends approval of the proposed site plan with the following conditions:

1. The applicant receive approval of a variance to Section 146-135(f)(4) (Landscape Requirements) of the Zoning Ordinance to reduce the required 20' landscape buffer adjacent to the right-of-way to 10' feet.

APPLICATION SUBMITTAL DATE: March 21, 2022 (Original Application)
June 10, 2022 (Revised Submittal)
November 9, 2022 (Revised Submittal)
January 20, 2023 (Revised Submittal)

ITEM SUMMARY: The applicant is proposing to construct an approximately 2,500 square foot convenience store on .36 acres at the northeast corner of South McDonald Street and East Christian Street.

Typically, site plans can be approved at the staff level; however, the applicant has requested a variance, which requires consideration by the Planning and Zoning Commission for approval.

PLATTING STATUS: The subject property is currently platted as Shorts Addition, Block 34, Lots 3B, 4C and 4D. An amending plat of the subject property must be approved prior to the commencement

of any development activity on the subject property.

EXISTING ZONING AND LAND USES:

Location	Zoning District (Permitted Land Uses)	Existing Land Use
Subject Property	"BN" - Neighborhood Business District (Commercial Uses)	Undeveloped Land
North	"BN" - Neighborhood Business District (Commercial Uses)	Undeveloped Land
South	"BN" - Neighborhood Business District (Commercial Uses)	Undeveloped Land
East	"BN" - Neighborhood Business District (Commercial Uses)	Existing Single Family Residential
West	"PD" - Planned Development District (Commercial Uses)	Undeveloped Land

ACCESS/CIRCULATION:

Adjacent Streets: South McDonald Street - Town Thoroughfare East Christian Street

PARKING: The applicant has satisfied the minimum parking requirements as specified within Section 146-130 (Vehicle Parking) of the Zoning Ordinance.

SOLID WASTE CONTAINERS: The sanitation container screening walls will be brick, stone masonry or other architectural masonry finish, including a metal gate, primed and painted, and the sanitation container screening walls, gate, and pad site will be constructed in accordance with the City of McKinney Design Specifications.

LANDSCAPING REQUIREMENTS: The applicant has satisfied all landscaping requirements as specified in Section 146-135 (Landscape Requirements) of the Zoning Ordinance, with the following exception:

Per Section 146-135(f)(4)b., non-residential and multiple family parcels are required to provide a minimum 20-foot landscape buffer adjacent to public rights-of-way that are 60 feet or greater in width. When a corner lot exists, all frontages of the lot must observe the 20-foot landscape buffer requirement. Because the subject property is a corner lot located on N McDonald Street and E Christian Street, a 20-foot landscape buffer is required along all frontages of this site.

The applicant is requesting a variance to reduce the required 20' landscape buffers along both street frontages to 10' buffers due to site limitations. The Zoning Ordinance states that a variance to this requirement may be granted if the Planning and Zoning Commission finds that:

- Unique circumstances exist on the property that make application of specific items in this section (Sec. 146-132) unduly burdensome on the applicant;

- The variance will have no adverse impact on current or future development;
- The variance is in keeping with the spirit of the zoning regulations, and will have a minimal impact, if any, on the surrounding land uses; and
- The variance will have no adverse impact on public health, safety, and general welfare

The applicant's request for a 10' landscape buffer reduction is reasonable in that the existing site conditions pose a unique challenge for sufficient development on the subject property. Due to the depth of the existing lot and site features that are required to be included for development such as the fire lane and parking, the applicant is unable to meet the 20' landscape buffer requirement along either street frontage.

Similar landscape buffer widths are seen along South McDonald Street that observe landscape buffers of varying widths less than 20'. Most notably, the parcel directly across South McDonald Street was rezoned in 2016 to PD - Planned Development District that permits a minimum 5' wide landscape buffer along all street frontages.

Due to conformance with development patterns in the area and site constraints, it is staff's opinion that the proposed variance will not negatively impact surrounding development. As such, staff recommends approval of the variance request.

SCREENING REQUIREMENTS: The applicant has provided the required notation stating that all mechanical, heating, and air conditioning equipment shall be screened from the public right-of-way and from adjacent residential properties. The applicant has properly screened the sanitation container and has satisfied the minimum requirements as specified in Section 146-132 (Fences, Walls, and Screening Requirements) of the Zoning Ordinance.

LIGHTING AND GLARE REGULATIONS: The applicant will be responsible for complying with Chapter 58 (Lighting and Glare Regulations) of the City of McKinney Code of Ordinances. The applicant has provided the required notation stating that the lighting will be in conformance to the requirements of the City of McKinney Code of Ordinances on the site plan.

ARCHITECTURAL STANDARDS: The applicant will be responsible for meeting all applicable requirements of Section 146-139 (Architectural and Site Standards) of the City of McKinney Zoning Ordinance. Architectural building elevations are required due to the location of this project being in the Historically Significant Area (HSA).

TREE PRESERVATION ORDINANCE: The applicant will be responsible for complying with the Tree Preservation Ordinance. The applicant has submitted a tree survey, subject to review and approval of the City's Arborist.

PUBLIC IMPROVEMENTS:

Sidewalks:	Required along N McDonald St and E Christian St
Hike and Bike Trails:	Not Applicable

Road Improvements: All road improvements necessary for this development, and as determined by the City Engineer

Utilities: All utilities necessary for this development, and as determined by the City Engineer

DRAINAGE: The applicant will be responsible for all drainage associated with the subject property, and for compliance with the Storm Water Ordinance, which may require on-site detention. Grading and drainage plans are subject to review and approval by the City Engineer, prior to issuance of a building permit.

FEES:

Roadway Impact Fees: Applicable (Ordinance No. 2020-12-091)

Utility Impact Fees: Applicable (Ordinance No. 2020-12-092)

Median Landscape Fees: Not Applicable

Park Land Dedication Fees: Not Applicable

Pro-Rata: As determined by the City Engineer

OPPOSITION TO OR SUPPORT OF REQUEST: Staff has received no citizen comments in support of or in opposition to this request. This does not include emails or letters that may have been sent directly to members of the Council. Staff has not received any citizen comments through the online citizen portal.